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October 20, 2010

By ECF

Honorable Sandra L. Townes
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Government Employees Ins. Co., et al. v. Green, et al.
Docket No. CV 10-2671 (SLT)(CLP)

Dear Judge Townes:

As Your Honor is aware, we are counsel for the Plaintiffs in this matter

I write to advise that the claims asserted by Plaintiffs and Defendants, Michael Green, M.D., Clifford Beinart M.D., Vista Medical Diagnostic, P.C. and Total Global Medical, P.C. (the "Medical Defendants") have been resolved. Attached is a stipulation which has been executed by myself and counsel for the Medical Defendants, Lloyd Eisenberg, Esq., which consents to the entry of a permanent injunction in this matter relating to the prosecution of any and all collection actions against GEICO by or on behalf of Vista Medical Diagnostic, P.C. and Total Global Medical, P.C.. Mr. Eisenberg and I would request that the Court So-Order and Enter the Permanent Injunction. We appreciate the Court's attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

Barry I. Levy

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cc: All counsel via ECF

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GOVERNMENT EMPLOYEES INSURANCE
CO., et al.,

2010-CV-2671 (SLT)(CLP)

Plaintiffs,

- against -

MICHAEL GREEN, M.D., CLIFFORD BEINART,
M.D., et al.,

Defendants.

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STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for Plaintiffs and Defendants, Michael Green, M.D., Clifford Beinart M.D., Vista Medical Diagnostic, P.C. and Total Global Medical, P.C. (the "Medical Defendants") as follows: Medical Defendants hereby appear in this action through their counsel, Eisenberg & Carton. Medical Defendants consent to the jurisdiction of this Court and to the entry of the Order and Permanent Injunction in the form attached as Exhibit "A".

Dated: October 19, 2010

RIVKIN RADLER LLP

EISENBERG & CARTON

By: /s/ Barry I. Levy
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Counsel for Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company and GEICO Casualty Co

Counsel for Defendants Michael Green, M.D., Clifford Beinart M.D., Vista Medical Diagnostic, P.C. and Total Global Medical, P.C.

Exhibit “A”

Order and Permanent Injunction

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GOVERNMENT EMPLOYEES INSURANCE
CO., GEICO INDEMNITY CO., GEICO GENERAL
INSURANCE COMPANY and GEICO CASUALTY
CO.,

Docket No.: CV 10-2671 (SLT)

Plaintiffs,

-against-

MICHAEL D. GREEN, M.D. et al.

Defendants.

-----X

ORDER AND PERMANENT INJUNCTION

WHEREAS, Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company and GEICO Casualty Co. (collectively “Plaintiffs” or “GEICO”) commenced this action against, *inter alia*, Defendants, Michael D. Green, M.D. Clifford Beinart, M.D. (collectively the “Physicians”) and Defendants Vista Medical Diagnostic Imaging, P.C. and Total Global Medical, P.C. (collectively referred to as the “PCs”) (“Physicians” and “PCs” are collectively referred to the “Medical Defendants”); and

WHEREAS, the Medical Defendants have denied the allegations in the Complaint; and

WHEREAS, the Plaintiffs and the Medical Defendants have reached a global resolution of all issues between them, including all causes of action and claims for relief against the Medical Defendants in this action, which requires, among other things, the dismissal of all lawsuits, arbitrations and other proceedings brought by the PCs that are pending against GEICO; and

WHEREAS, in order to effectuate the dismissal with prejudice of all lawsuits, arbitrations and other proceedings brought by the PCs that are pending against GEICO, the Parties have consented to the entry of this permanent injunction in this action;

NOW THEREFORE, upon the stipulation of the Parties, it is hereby

ORDERED, that the PCs, their principals and/or any attorney purporting to represent the PCs shall, upon receipt of a copy of this Order, execute a stipulation of discontinuance with prejudice of any pending lawsuit, arbitration, or proceeding against GEICO and return such stipulation of discontinuance to the Law Offices of Teresa Spina, staff counsel for GEICO, within 30 days of its receipt; and it is further,

ORDERED, that the Medical Defendants, at their own cost and expense, shall assist and cooperate with GEICO's efforts to enforce the terms of the Permanent Injunction by issuing letters directing collection counsel to discontinue/withdraw all arbitrations and litigation against GEICO, with prejudice, which shall be sent immediately following the approval of the Permanent Injunction,

ORDERED, that all other causes of action for monetary damages against the Medical Defendants are hereby dismissed with prejudice.

Dated: October 21, 2010

S O O R D E R E D:

s/ SLT
Sandra Townes, U.S.D.J.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 25 2010 ★

BROOKLYN OFFICE